

MOTION BY CHAIR HILDA L. SOLIS AND
SUPERVISOR SHEILA KUEHL

AGN. NO. _____
JANUARY 5, 2016

Labor Peace and Opportunity in Services Contracts on County Property

In managing its property, the County of Los Angeles occupies a fiduciary role and has an economic interest in working with contractors to effectively provide services to County employees and the public on County property, including concessions, cafeteria, cleaning, and security services. In addition, economic opportunity and sustainable livelihoods for workers employed through such contracts is important for the sustainable and reliable delivery of these services.

The County currently has a variety of policy tools to promote workplace opportunity in these service contracts. These tools include our newly updated Living Wage Program, attention to worker retention when contractors change, neutrality in labor relations, and additional consideration for social enterprises that offer training and services through transitional job programs or contractors that employ workers facing

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significant barriers to employment such as GAIN-GROW participants. On certain real estate development projects, the County has implemented local, low-income, and disadvantaged worker hiring goals for both construction and permanent on-site jobs. These targeted hiring objectives are often achieved in partnership with qualified third party agencies and labor management partnerships that operate a first source hiring referral system. The County's Department of Community and Senior Services (CSS) and the Los Angeles County Workforce Development Board are charged with convening and aligning education providers, employers and industry groups, America's JobCenters, unions, and workers to invest in partnerships that meet the local labor market needs of employers and offer in-demand skills to jobseekers, and as such CSS can be a resource to build workplace opportunity into County contracting.

While the County is already offering significant guidance and incentives to promote workplace opportunity, the County must ensure that contractors' performance of County contracts and services are not unduly disrupted or delayed by labor disputes. As market participants, one method used by many local and state governments to mitigate against disruption caused by labor disputes between contractors and unions is to require contractors to enter into labor peace agreements as a condition of being awarded a government contract. These agreements are designed to assure labor stability through, among other things, commitments by a union and its members not to participate in disruptive labor activities (e.g., strikes, work stoppages, etc.) over the length of a project or contracts.

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The County should explore the implementation of such additional tools when contracting with contractors to ensure a successful relationship, demonstrate progress for jobseekers facing significant barriers to skilled employment, and avoid the effects of labor disputes that may have a negative financial or operational impact on the County.

WE, THEREFORE, MOVE THAT THE BOARD OF SUPERVISORS:

1. Instruct the Chief Executive Office (CEO), the Acting Director of the Internal Services Department (ISD), and the Director of the Department of Community and Senior Services (CSS) to report back to the Board in writing in 30 days on the feasibility of requiring vendors responding to the Request for Proposals for the Kenneth Hahn Hall of Administration Cafeteria (RFP) to implement a training and first source hiring program with CSS as the lead agency that would:
 - a. Build upon existing County contracting practices and Board policies to promote worker retention when services continue but vendors change such that in those instances where existing workers are deemed non-qualified for these retention jobs, CSS and the vendor shall both use good faith efforts to assess additional skills needed for non-qualified retention workers, identify an appropriate qualified training program, and identify resources to fully cover these training costs including but not limited to Workforce Innovation and Opportunity Act funds; and
 - b. Enable the vendor, once all worker retention goals have been achieved, to identify and prioritize the hiring of qualified candidates that:

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- i. Have completed a qualified training program, including but not limited to:
 - 1. A local community college culinary arts program, such as the Los Angeles Trade Technical College's Culinary program;
 - 2. A local adult school certificate program, such as the Hacienda La Puente Adult Education Culinary Arts Program;
 - 3. A local labor-management partnership, Taft-Hartley fund, or apprenticeship program in food service, such as the Los Angeles Hospitality Training Academy or Building Skills Partnership;
 - 4. A local social enterprise job training program in the food industry, such as is provided by Homeboy Industries or LA Kitchen; and
 - 5. A local Workforce Innovation and Opportunity Act approved employment training, apprenticeship and/or credentialed program.
- ii. Reside within a 5-mile radius of the project or within a County of Los Angeles zip code where the unemployment rate exceeds 150% of the County's average unemployment rate.
- iii. Have faced significant barriers to employment, including at least two of the following:

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1. A veteran;
 2. Is emancipated from foster care;
 3. Receives public assistance;
 4. A custodial single parent;
 5. Lacks a GED or high school diploma;
 6. Has experienced chronic unemployment;
 7. Homeless or formerly homeless;
 8. A trainee with less than 15% of the hours required to graduate from or advance within a qualified training program as described above; or
 9. Has a criminal record or involvement with criminal justice system.
2. Instruct the Chief Executive Office (CEO) and Acting Director of the Internal Services Department (ISD) , in consultation with County Counsel, to report back to the Board in writing in 30 days on the feasibility of requiring vendors responding to the Request for Proposals for the Kenneth Hahn Hall of Administration Cafeteria to have a Labor Peace Agreement (LPA) in place with the labor organizations representing or seeking to represent workers at the premises covered by the RFP, prior to execution of a County contract; and that the LPA, at a minimum prohibit such labor organizations and their members from engaging in picketing, work stoppages, boycotts or other economic interference

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with the business of successful contractor at the Kenneth Hahn Hall of Administration Cafeteria for the duration of the cafeteria services contract.

3. Instruct the CEO and ISD, in consultation with County Counsel, to report back to the Board in writing in 90 days on the feasibility of extending similar LPA requirements in other types of County solicitations for revenue generating contracts where the County is advancing or preserving its proprietary interests; and, if appropriate, recommendations on how to implement this contracting policy.

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